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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 7715/2002

VIJAY KUMAR GAKKHAR

Vs.

JAIPUR VIDYUT VITARAN NIGAM LIMITED & ORS.

DATE: 07.09.2007.

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. Rajesh Sharma for
Mr. Rajveer Sharma for the petitioner.
Mr. B.S. Chhaba, Addl. GA for the State.
Mr. Sanjeev Prakash Sharma for the respondents.

Brief facts of the case are that FIR was lodged by Deputy Superintendent of Police (Anti Corruption), Tonk on the complaint lodged by Badri Lal Meena S/o Shri Sheo Narayan Meena. It was alleged that the basis the complaint, the team of Anti Corruption Department conducted raid on the residential house of the petitioner on 30.11.99 and as per the information and complaint made by Shri Badri Lal Meena, Rs. 3,500/- were recovered from the house of the petitioner. This amount was taken by the petitioner from Badri Lal Meena as bribery and, therefore, FIR No. 272/99 was lodged by the Dy. S.P. (Anti Corruption) on 02.12.99.

This writ petition has been filed by the petitioner challenging the sanction accorded by the respondents on 20.08.2002 (Annexure-7) and also challenged the consequential order dated 02.09.2002 (Annexure-9). The respondent Jaipur Vidyut Vitran Nigam Ltd. vide letter dated 20.08.2002 enclosed the sanction accorded by the competent authority i.e. CMD, Jaipur, DISCOM, Jaipur against the petitioner who was at that time working as A.E.N. for necessary action and vide order dated 02.09.2002 passed by the Deputy Secretary (Admn.), Jaipur Vidhyut Vitran Nigam Ltd., the petitioner was put under suspension as criminal proceedings have been contemplated against the petitioner.

I have heard learned counsel for the petitioner, learned Govt. Advocate for the State and the learned counsel appearing for the respondents.

As per the settled proposition of law laid down by the Hon'ble Supreme Court and this Court, this is not a case where any interference to the sanction is required as the sanction was accorded by the competent authority and the petitioner has rightly been put under suspension vide order dated 02.09.2002 as criminal proceedings were contemplated against the petitioner.

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Thus, I find no merit in the writ petition and the same deserves to be dismissed.

Consequently, the writ petition fails and the same is hereby dismissed.

The ex parte interim order dated 04.12.2002 granted by this Court stands rejected. The stay application also stands rejected.

(K.S. RATHORE),J.

/KKC/